

REMARKS

By the present Amendment, claims 1-8 are cancelled and claims 9-21 are added. This leaves claims 9-21 pending in the application, with claims 9 and 16 being independent.

Information Disclosure Statement

Citation is again request of all documents listed in the previously filed Information Disclosure Statement. Since the citations are included in the International Search Report of this national stage application, citation is required, even without a translation or description.

M.P.E.P. §609.03 and §609.04(a)III.

Substitute Specification

The specification is revised to avoid the objections raised in the Office Action and to eliminate grammatical and idiomatic errors in the originally presented specification. The number and nature of the changes made in the specification would render it difficult to consider the case and to arrange the papers for printing or copying. Thus, the substitute specification will facilitate processing of the application. The substitute specification includes no "new matter". Pursuant to M.P.E.P. §608.01(q), voluntarily filed, substitute specifications under these circumstances should normally be accepted. A marked-up copy of the original specification is appended hereto.

Claim Objections and Rejections Under 35 U.S.C. §112

Original claims are objected and stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. By the present Amendment, the originally filed claims have been rewritten to avoid the objections the language alleged to be indefinite in the Office Action. All language of

the presently pending claims is now believed to be definite and in compliance with 35 U.S.C. §112.

The term “ampule” has long been considered to be definite, See, e.g., U.S. Patent Nos. 6,105,342, 5,897,008 and 5,046,627. See also the other patents in the attached list.

Rejection Under 35 U.S.C. §102 and §103

New claim 9 basically combines the limitations of original claims 1, 2 and 4-6, and covers a stamping device for imprinting identification data in plastic products. The stamping device includes a stationary support frame 24, a first stamp 32, a stamping plate 34, a support stamp 46 and support plate 50. The stationary support frame 24 has columnar guides 58 and a longitudinal axis 44. The guides are parallel to the longitudinal axis. The first stamp 32 has a first housing element 38 stationarily mounted on the frame 24 and a first piston rod 36 movable in a first direction along the longitudinal axis relative to the frame. The stamping plate 34 has replaceable identification units 42 and is coupled to the first piston rod 36 with the plastic products or stamping plate being heated. The stamping plate 34 is movably mounted on the guides for guided movement along the longitudinal axis relative to the guides. The support stamp 46 has a support housing element 54 stationarily mounted on the frame and a support piston rod 48 movable in a second direction along the longitudinal axis relative to the frame 24, with the second direction being opposite to the first direction. Movement of the support piston rod 48 is simultaneous with or desynchronized relative to movement of the first piston rod. The support plate 50 is coupled to the support piston rod 48, and is movably mounted on the guides for guided movement along the longitudinal axis relative to the guides. The stamping and the support plates are adjacent to and face one another.

In this manner the stamping plate and the support plate are movable between open positions for delivering and removing the plastic products into and out of the device, and a closed position to effect stamping of the plastic products. This arrangement of the stamping device is easy to manufacture and operate, and provides an extremely effective mechanism for stamping the products after they have been manufactured in an upstream processing station.

Claims 1, 2 and 4 stand rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 5,853,606 to Boskovic. The Boskovic patent is cited for a stamping device in a plastic production injection molding for quality control identification. Figure 3 is alleged to provide replaceable identification data 36. Stamp 16 having stamp unit 21 is alleged to provide the claimed stamp and stamping unit. Fig. 5 is alleged to show a plug member as a support of the device removable entirely from the mold by rotating in a counter clockwise direction. Column 5, line 12 of the Boskovic patent is alleged to disclose the plug-retaining portion providing an energy device, which inherently can be a heating source.

Claims 1-5 and 8 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 2,872,861 to Smith. The Smith patent is cited as disclosing a molding apparatus having interchangeable dies with indicia. Fig. 1 of the Smith patent is alleged to disclose a head 11 and a bed 12 forming a stamping unit supported by uprights provided with longitudinally spaced annular shoulders in vertically spaced parallel relation. Relative to claim 2, heater 20 is cited. Relative to claim 3, head 11 and bed 12 are alleged to be supported on upright standards with longitudinally spaced shoulders and in vertically spaced parallel relation, with handles being formed on the outer ends of slides 28 as the identification unit, which projects from the die holding plate providing means for removing and interchanging the slides in the direction.

Relative to claim 4, the slides 28 are cited. Relative to the limitations of claim 5, the standards 13 and platen 18 are cited. Relative to the limitations of claim 8, the trimming edge is referenced.

Claims 3, 6 and 8 stand rejected under 35 U.S.C. §103 as being unpatentable over the Boskovic patent in view of U.S. Patent No. 1,408,685 to Benson (not Ernest). The Boskovic patent is cited for a plug retaining portion comprising an insert for a plug injection mold with a series of inserts, a support plate and an associate plate 16, 12. The Benson patent is cited relative to the delivery and removal of the products with respect to the stamp. It is alleged that it would be obvious to provide such delivery and removal in the Boskovic device. Additionally, it is alleged that it would be obvious to make the stamping unit heated.

Claims 5 and 7 stand rejected under 35 U.S.C. §103 as being unpatentable over the Boskovic and Benson patents when further considered in view of U.S. Patent No. 6,877,426 to Huang. The Huang patent is cited in connection with a columnar guides and a guide plate which is alleged to be obvious to add to the Boskovic device.

Claims 6 and 7 stand rejected under 35 U.S.C. §103 as being unpatentable over the Smith patent in view of U.S. Patent No. 3,627,861 to Timke. The Timke patent is cited in connection with a piston rod and guide plate, which are alleged to be obvious to provide in the Smith patent device.

Since new claim 9 recites the limitations of original claim 6, applicant's response will be primarily focused in on the rejection posed against original claim 6 based on the proposed combination of the Boskovic patent and the Benson patent.

The Boskovic patent relates to a mold for injection molding of plastic parts having an identification device 22 pressing indicia on the molded plastic parts. The identification device 22 can be mounted on the mold core (Fig. 1) or the mold cavity (Fig. 2). Even if the identification device 22 is assumed to correspond to a replaceable identification unit, as claimed, only a single unit is provided, not plural units, as claimed. Additionally, the Boskovic patent fails to disclose or render obvious the stationary support frame with columnar guides, the housing element and piston rod of the first stamp, or of the support stamp, as claimed. Thus, the Boskovic patent does not anticipate or render obvious the subject matter of claim 9.

Such deficiencies in the Boskovic patent are not cured by the Benson patent. The Benson patent discloses a plastic box mold for forming building blocks of plastic material with ducts extending completely through the body of the block. The nature and purpose of the Benson mold compared to the Boskovic patent are so different that it would not be obvious to combine these two patents in the manner proposed in the rejection. Additionally, the Benson patent like the Boskovic patent fails to disclose stationary support frame having columnar guides and the housing elements and piston rods for the first stamp and the stamping plate, as claimed. Thus, the Benson patent does not cure the deficiencies noted above relative to the Boskovic patent.

None of the other cited patents cure these deficiencies in the Boskovic patent. For example, the cited Smith patent discloses a forming or molding apparatus having a head 11 and a bed 12 supported by a plurality of upright standards 13 secured at the lower ends to a suitable foundation. Head 11 and bed 12 are permanently affixedly mounted and vertically spaced in parallel relationship (column 2, lines 65-70). Thus, the Smith head 11 and the bed 12 do not provide the longitudinal removable stamping plates, as claimed. In the Smith apparatus, the

plastic material license plate is formed (as described in column 4, lines 42-68) between a die member 38 and the rubber mat 51, with dies 29 entering aperture 40 in die member 38. The die member 38 and the dies 29 are moved upwardly in position by a ram 19 movable vertically by a hydraulic or other means (not shown). The rubber mat 51 appears to be fixed on head 11 (see column 4, lines 7-15). Thus, like the Boskovic and Benson patents, the Smith patent does not disclose or render obvious a stamping plate and a support plate each movable by the columnar guide and driven by a piston rod.

The Huang patent relates to a stamping device having a reversible printer member. This printing device it is not analogous to the molding devices of the Boskovic, Benson and Smith patents, and thus, is not obvious to combine therewith. Moreover, it likewise fails to disclose a stamping plate and a support plate which are each movable and guided on the columnar guides and driven by separate piston rods.

The Timke patent device has a molding plunger 32 vertically movable to compress powder 16 in the molding cavity defined by the opening in vertically movably member 22 and the insert member 12 supported on member 17. The member 17 remains stationary (column 2, lines 56-59). Plate 22 is driven by plunger rod 26. Molding plunger 32 is driven by rotation of threaded shaft 48. While plunger 32 may be viewed as corresponding to the stamping plate or stamping unit 34 and the member 17 may be viewed as corresponding to the claimed support plate 17, the support plate is stationary and not movable, as required in the claims.

Accordingly, claim 9 is not anticipated or rendered obvious by the cited patents.

Claims 10-15, being dependent upon claim 9, are allowable for the above reasons. Moreover, these dependent claims recite additional features further distinguishing them over the cited patents.

Claim 10 is further distinguished by the plastic products being produced a blow-fill seal process. None of the cited patents disclose or render obvious such products.

Claim 11 is further distinguished by the delivery and removal of the products in a direction transverse to the longitudinal axis, particularly within the overall claimed combination.

Claim 12 is further distinguished by the delivery and removal of the pass of products in a direction parallel or transverse to the longitudinal axis, particularly within the overall claimed combination.

Claim 13 is further distinguished by a guide plate fixedly connected to the support frame by a columnar suspension and mounted between the stamping plate and support plate for the guiding the plastic products. Relative to this feature U.S. Patent No. 3, 627,861 to Timke is cited for dies for forming an indented decorative pattern on the face of a ceramic tile. No stationary support frame is disclosed. Apparently, the Timke plate 22 is relied upon as a guide plate. However, claim 13 requires that the guide plate be fixedly connected to the support frame by the column suspension, which feature is not satisfied or rendered obvious by the movable member 22 of the Timke patent.

Claim 14 is further distinguished by the ampules connected in the strip. None of the cited patents relates to ampules.

Claim 15 is further distinguished by the stamping of a plurality of ampules. No such plurality of plastic products is disclosed or rendered obvious by the cited patents.

Claim 16 is based on a combination of original claims 1, 2, 4, 5 and 7 and covers a stamping device for imprinting identification data and plastic products. The stamping device includes a stationary support frame 24, a first stamp 32, a stamping unit 34, a support stamp 46, a support plate 50 and a guide plate 64. The support frame has columnar guides 58 and longitudinal axis 44 with the guides being parallel to the longitudinal axis. The first stamp is mounted on the frame for movement in a first direction along the longitudinal axis. The stamping unit has replaceable identification units 42 coupled to the first stamp with at least the plastic product or the stamping unit being heated. The stamping unit 34 is movably mounted on the guides for guided movement along the longitudinal axis. The support stamp 46 is mounted on the frame for movement in a second direction along the longitudinal axis, with the second direction being opposite to the first direction. Movement of the support stamp is simultaneous with or desynchronized relative to the movement to the first stamp. The support plate 50 is coupled to the support stamp and is movably mounted on the guides for guided movement along the longitudinal axis. The guide plate 64 is fixedly connected to the support frame by a columnar suspension 62 and is mounted between the stamping unit and the guide plate for guiding plastic products for the stamping process.

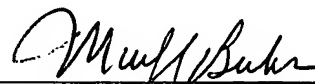
By reciting the stamping device in this manner, claim 16 is patentably distinguishable over the cited patents for reasons similar to those advanced above relative to claim 9, as well as those specifically addressed relative to claim 7. Such reasons are not repeated to avoid burdening of the record.

Claims 17-21 are further distinguished for the same reasons advanced above, relative to claims 10-12, 14 and 15, respectively. These reasons are not repeated to avoid burdening of the record.

In view of the foregoing, claims 9-21 are allowable. Prompt and favorable action is solicited.

Respectfully submitted,

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